

FOURTH DAY

(Monday, January 15, 1951)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the Speaker.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hill
Abington	Hinson
Adams	Holstein
Atwell	Houston
Aynsworth	Huddleston
Banks	Huffman
Bell	Hughes
Berlin	Hull
Blount	Ingram
Bradshaw	Isaacks
Briggs	Johnson
Briscoe	Jones
Brooks	Kilgore
Brown	Kirkpatrick
Bryan	LaFont
Buchanan	Latimer
Carr	Lehman
Caston	Lindsey
Chambers	Loving
Cheatham	McCann
Childress	McCorkle
Cobb	McDaniel
Cox	McIlhany
Craig	Mangum
Crosthwait	Manning
Crouch	Maverick
Daniel	Meridith
Davis	Miller
Dicker	Moore
Duff, Miss	Morrison
Duncan	Murphy
Ehlert	Murray
Etheredge	Niemann
Fields	Nimitz
Fisk	Norton
Fleming	Osborn
Fly	Owen
Gandy	Pattison
Garrett	Paxton
Graham	Pearson of Grimes
Gray	Pearson
Gromatzky	of Eastland
Gurley, Mrs.	Perry of Brazoria
Hall	Peterson
Hardegee	Presnal
Hardeman	Puckett
Hartsfield	Pyle
Heflin	Rampy
Heideke	Ratliff
Henderson	Roark

Rogers	Tinsley
of Childress	Triplett
Rogers of Travis	Tufares
Ross	Vale
Rutherford	Warden
Sadler	Weaver
Seay	Westbrook
Sewell	Wetherbee
Shannon	Whiteside
Shaw	Wilkinson
Sherman	Williams
Smith	Williamson
Spacek	Willis
Spring	Wilson
Staton	Wisener
Steward	Wood of Smith
Stockard	Wood of Houston
Stump	Woodruff
Svadenak	Woods
Swindell	Young
Tatum	Zeiske
Taylor	Zivley

Absent

Barnhart	Moursund
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Absent—Excused

Cassity	Kazen
Collie	Perry of Erath
Fenoglio	Yezak

A quorum was announced present.

The invocation was offered by the Rev. J. H. Clark, Chaplain, as follows:

"Our Heavenly Father, we pray Thee for an awareness of our insufficiency—The inadequacy of man without God. We come humbly seeking Thy help. We want to be right; we pray Thee help us to do right. Do Thou start us in the right way on this the beginning of another day's duties. Do Thou shed forth Thy grace upon us, O Lord, that each Member of this group may say: 'I can do all things through Christ which strengthened me.' We ask in His name.—Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Perry of Erath for today on motion of Mr. Graham.

Mr. Fenoglio for today on motion of Mr. Kirkpatrick.

Mr. Kazen for today on motion of Mr. Vale.

Mr. Collie for today on motion of Mr. Holstein.

Mr. Yezak for today and the balance of the week on motion of Mr. Hill, on account of military business.

Mr. Cassity for today on motion of Mr. Wilkinson.

OATH OF OFFICE ADMINISTERED

The Speaker stated that the Oath of Office would now be taken by Honorable L. R. Pearson, of Eastland County, Representative-elect of the 107th F. Representative District of the State of Texas.

The Honorable L. R. Pearson then came forward to the Speaker's rostrum and took the constitutional Oath of Office, as a Member of the House of Representatives of the Fifty-second Legislature, which was administered to him by the Honorable Reuben E. Senterfitt, Speaker of the House of Representatives.

DRAWING FOR NUMBERS FOR HOUSE BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker stated that, in accordance with an announcement previously made, the drawing of numbers for House Bills and House Joint Resolutions would now be held. The Speaker stated further that one number would be drawn for each Member to be used for a House Bill, and in a second drawing, one number would be drawn for each Member to be used as the number for a House Joint Resolution.

The names of the Members were then called in alphabetical order, and a number was drawn for each Member to be used as the number for the introduction of a House Bill. The second drawing was next made, to determine the number to be used by each Member for the introduction of a House Joint Resolution.

It was stated that the numbers so drawn may be used in numbering House Bills and House Joint Resolutions until the expiration of the time allotted, Wednesday, January 17, at 12 o'clock midnight.

PROVIDING FOR JOINT SESSION TO CANVASS VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR; AND FOR JOINT SESSION FOR INAUGURAL CEREMONY

Mr. Johnson offered the following resolution:

H. C. R. No. 9

Be It Resolved by the House of Representatives, the Senate concurring, That the Senate and the House of Representatives meet in Joint Session Monday, January 15, 1951, at 11:00 a. m., for the purpose of canvassing the votes cast for the Governor and Lieutenant Governor; and, be it further

Resolved, That the House and Senate meet in Joint Session on Tuesday, January 16, 1951, at 11:30 a. m., for the inauguration ceremonies for the Governor and Lieutenant Governor of the State of Texas.

The resolution was read and was adopted.

RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read severally the following enrolled resolutions:

H. C. R. No. 2, Providing for a Joint Session to hear the address by Governor Allan Shivers.

H. C. R. No. 4, Relative to mileage and per diem of Members of the 52nd Legislature.

H. C. R. No. 5, Providing for parking space for certain automobiles.

H. C. R. No. 7, Providing for Joint Session to canvass votes cast for Governor and Lieutenant Governor.

EXTENDING CONGRATULATIONS TO MIDWESTERN UNIVERSITY OF WICHITA FALLS

Mr. Tufares offered the following resolution:

H. S. R. No. 19

Whereas, It has come to our attention that the youngest University in the State of Texas, Midwestern Uni-

versity of Wichita Falls, which has made rapid progress in the last four years, has recently become a member of the Southern Association of College and Secondary Schools; and

Whereas, It has been customary for a College or University to become a member of this association it must go through a testing period of at least ten years, Midwestern University accomplished this in four years through the vision of its board, reliable and efficient faculty, the democratic loyal student body, its Ex-Student Association and the wonderful citizenship of Wichita Falls and that area; and

Whereas, It is the desire of the House of Representatives to give proper recognition to such worthy achievements and to encourage all institutions to consider this as a challenge to their proposed development; now, therefore,

Be It Resolved by the House of Representatives That we extend congratulations and best wishes to Midwestern University of Wichita Falls, and to those responsible for this splendid record.

TUFARES,
McDANIEL,
WETHERBEE.

The resolution was read and was adopted.

**AUTHORIZING UNITED SPANISH
WAR VETERANS TO ERECT A
MONUMENT ON THE
CAPITOL GROUNDS**

The Speaker laid before the House and had read the following resolution:

S. C. R. No. 2

Whereas, In 1898 the United States became involved in armed conflict with Spain and approximately 10,000 of our Texas boys at said time volunteered their service for said war, the famous Rough Riders having been organized in San Antonio, and

Whereas, There are now living in Texas about 1975 of the United Spanish War Veterans, who with the widows of the deceased veterans of said war, desire to, without any expense to the State, erect on the Capitol grounds in Austin, Texas, a Bronze "Hiker" Monument in honor

of said veterans; said monument to be 15½ feet high with a base 5½ feet by 5½ feet and to cost about \$7,500.00, and

Whereas, There have been erected on the Capitol grounds monuments in honor of the Heroes of the Alamo, The Confederate Veterans, Hood's Texas Brigade, The Volunteer Firemen, The Texas Cowboy and The Texas Rangers, and nothing has been done to honor the Spanish War Veterans, and

Whereas, Under Article 861-a of the Penal Code no monument can be erected on the Capitol grounds without the consent of the Legislature, now therefore be it resolved,

By the Senate, the House of Representatives concurring, That the United Spanish War Veterans in Texas, together with the widows of the deceased veterans of said war, be and they are authorized to erect on the Capitol grounds in Austin, a "Hiker" monument in honor of the United Spanish War Veterans, said monument to be erected under the supervision of the State Board of Control and at the location selected by said Board and without any cost to the State of Texas.

The resolution was read and was adopted.

**AUTHORIZING CLOSING OF CAPI-
TOL GROUNDS TO MOTOR
VEHICLES ON JANUARY
16, 1951**

Mr. Taylor offered the following resolution:

H. C. R. No. 6

Whereas, The Constitution of the State of Texas fixes the inauguration of the newly elected Governor and Lieutenant Governor for the first Tuesday following the convening of the Legislature in each regular biennial session; and

Whereas, The Inaugural ceremonies will be held in public at the south entrance of the State Capitol; and

Whereas, The movement of motor vehicles upon the Capitol Grounds, streets, and runways, on said day will be hazardous to the life and limb of the great throng assembled for said inaugural ceremonies; now, therefore, be it

Resolved, by the House of Representatives, the Senate concurring,

That the State Board of Control be and is hereby instructed to close all entrances to the Capitol Grounds to motor vehicles on January 16, 1951, except those vehicles approved by the Inaugural Committee as necessary for use in connection with said ceremony and the program following.

The resolution was read and was adopted.

PROPOSED AMENDMENT TO THE JOINT RULES

Mr. Bell offered the following resolution:

H. C. R. No. 8

Be it resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the two Houses be amended so as to add Section 9a, to read as follows:

"Section 9a. During the first seventy-five (75) calendar days of a Regular Session it shall not be in order for the presiding officers to lay before the Houses, or for the Houses to consider, any appropriation bill, except those necessary to provide for the expenses of the Legislature, in emergencies for defense and judgments against the State, until the biennial appropriation bills (i.e., the biennial appropriation bills for the support of the judiciary, the state departments, the higher education institutions, the eleemosynary and reformatory institutions, and the Junior Colleges) have been considered and passed by the two Houses and any conference reports thereon approved by the committee, and this Joint Rule shall have precedence over all other Rules of the two Houses dealing with the order and priority of business. This Rule is to assure prior consideration and passage of the biennial appropriation bills required for the support of the several departments of the State government and shall be strictly adhered to, and no appropriation bill for any other purpose shall be considered until the biennial appropriation bills as above enumerated have been passed by both Houses. The Finance Committee of the Senate and the Appropriation Committee of the House are hereby required to report said biennial appropriation bills to their Houses not later than

the sixtieth calendar day of the Regular Session."

BELL,
CASTON,
FLEMING,
WILLIAMSON.

The resolution was referred to the Committee on Rules.

PROVIDING FOR PAYMENT OF CERTAIN EXPENSES INCURRED IN ARRANGING INAUGURAL CEREMONIES

Mr. Hall offered the following resolution:

H. C. R. No. 3

Whereas, The Joint Committee appointed pursuant to the provision of Senate Concurrent Resolution No. _____, to arrange for the inauguration of the Governor and Lieutenant Governor, necessarily incurred certain expense arranging for said inauguration; now therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the expenses thus incurred be paid out of the contingent expense funds of the two Houses, one-half of said expense to be paid by the House and one-half by the Senate.

The resolution was read.

Mr. Johnson offered the following amendment to H. C. R. No. 3:

Amend H. C. R. No. 3 by deleting the words "Senate Concurrent Resolution No. _____," and inserting in lieu thereof the following "H. C. R. No. 7."

The amendment was adopted.

The resolution was then adopted.

HOUSE STANDING AT EASE

The Speaker announced that the House would stand at ease until the hour set for the Joint Session today.

The House, accordingly, stood at ease from 10:55 o'clock a. m. until 11:00 o'clock a. m. today.

COUNTING OF THE VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR

(The House of Representatives and the Senate in Joint Session.)

In accordance with the provisions of H. C. R. No. 3 and H. C. R. No. 7, providing for a Joint Session of the House and Senate, at 11:00 o'clock a.m. today, for the purpose of counting the votes for Governor and Lieutenant Governor cast at the last general election, held on November 7, 1950, the Doorkeeper of the House at 11:00 o'clock a. m., announced that the Honorable Senators were at the Bar of the House.

The Honorable Senators, upon direction of Speaker Senterfitt, were admitted and occupied seats designated for them.

Senator Pat Bullock, President Pro Tempore of the Senate, occupied a seat on the Speaker's rostrum.

Senator Pat Bullock called the Senate to order and announced a quorum of the Senate present.

Speaker Senterfitt called the House to order and directed the Clerk to call the roll of the House.

The following Members were present:

Mr. Speaker	Etheredge
Abington	Fields
Atwell	Fisk
Aynesworth	Fleming
Banks	Fly
Barnhart	Gandy
Bell	Garrett
Berlin	Graham
Blount	Gray
Bradshaw	Gromatzky
Briggs	Gurley, Mrs.
Briscoe	Hall
Brooks	Hardegree
Brown	Hardeman
Bryan	Hartsfield
Buchanan	Heflin
Carr	Heideke
Caston	Henderson
Chambers	Hill
Cheatham	Hinson
Childress	Holstein
Cobb	Houston
Cox	Huddleston
Craig	Huffman
Crosthwait	Hughes
Crouch	Hull
Daniel	Ingram
Davis	Isaacks
Dicker	Johnson
Duff, Miss	Jones
Duncan	Kilgore
Ehlert	Kirkpatrick

LaFont	Sadler
Latimer	Seay
Lehman	Sewell
Lindsey	Shannon
Loving	Shaw
McCann	Sherman
McCorkle	Smith
McDaniel	Spacek
McIlhany	Spring
Mangum	Staton
Manning	Steward
Maverick	Stockard
Meridith	Stump
Miller	Svadlenak
Moore	Swindell
Morrison	Tatum
Murphy	Taylor
Murray	Tinsley
Niemann	Triplett
Nimitz	Tufares
Norton	Vale
Osborn	Warden
Owen	Weaver
Pattison	Westbrook
Paxton	Wetherbee
Pearson of Grimes	Whiteside
Pearson	Wilkinson
of Eastland	Williams
Perry of Brazoria	Williamson
Peterson	Willis
Presnal	Wilson
Puckett	Wisener
Pyle	Wood of Smith
Rampy	Wood of Houston
Ratliff	Woodruff
Rogers	Woods
of Childress	Young
Rogers of Travis	Zeiske
Rutherford	Zivley
Ross	

Absent

Adams	Roark
Moursund	

Absent—Excused

Cassity	Kazen
Collie	Perry of Erath
Fenoglio	Yezak

A quorum was announced present.

Speaker Senterfitt stated that the House and Senate were in Joint Session for the purpose of counting the votes for Governor and Lieutenant Governor cast at the last general election, held on November 7, 1950.

The following Senators were appointed on the part of the Senate to count the votes: Senators Strauss, Moffett, Parkhouse, Shofner, Kelly of Tarrant.

The following Members were appointed on the part of the House: Messrs. Chambers, Bell, Crouch, Kirkpatrick, and Presnal.

The joint tellers were announced present.

The Speaker then requested the joint tellers to come forward to receive the returns of the last general election for Governor and Lieutenant Governor.

The joint tellers then proceeded to the counting of the votes cast for Governor and for Lieutenant Governor at the general election held on November 7, 1950.

The Speaker stated that the Joint Session would stand at ease while the ballots cast for Governor and Lieutenant Governor in the last general election were being counted by the tellers.

(Mr. Staton occupied the Chair temporarily while the Joint Session stood at ease.)

(Speaker in the Chair.)

When the count was completed, the Honorable Reuben E. Senterfitt, Speaker of the House of Representatives, stated to the Joint Session that the joint tellers had completed the counting of the votes and that the Joint Session was now ready to receive the result and the report of the joint tellers.

Senator Gus Strauss, on the part of the Senate, and Honorable W. R. Chambers, on the part of the House, submitted the following report which was read to the Joint Session:

HOUSE OF REPRESENTATIVES.

Austin, Texas, January 15, 1951.

Hon. Pat Bullock, President Pro Tempore of the Senate.

Hon. Reuben E. Senterfitt, Speaker of the House of Representatives.

We, the joint committee and the tellers appointed by the Senate and the House of Representatives to canvass the votes cast at the last General Election held in the State of Texas on November 7, 1950, for Governor and Lieutenant Governor of the State of Texas as shown by re-

turns delivered to us by the Secretary of State, beg leave to report that we have performed that duty and the result of our canvass is as follows:

There were cast for Governor:
Allan Shivers, 355,010.
Ralph W. Currie, 39,737.
Others, 26.

For Lieutenant Governor:
Ben Ramsey, 352,718.
Marjorie McCorquodale, 39,080.
Others, 8.

All of which is respectfully submitted.

STRAUSS,
MOFFETT,
PARKHOUSE,
KELLY

of Tarrant,
SHOFNER,

On the part of the Senate.

CHAMBERS,
BELL,
CROUCH,
KIRKPATRICK,
PRESNAL,

On the part of the House.

Whereupon the Speaker made the following announcement:

"Honorable Allan Shivers, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and the laws of the State of Texas, declare him duly, legally and constitutionally elected Governor of the State of Texas for the ensuing term of two years; and Honorable Ben Ramsey, having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and the laws of the State of Texas, declare him duly, legally and constitutionally elected Lieutenant Governor of the State of Texas for the ensuing term of two years."

The Speaker then announced that the business of the Joint Session was concluded.

The official returns of the election were then delivered to the Secretary of State.

SENATE RETIRES

Senator Pat Bullock, President Pro Tempore of the Senate, stated

that the business of the Joint Session was finished.

The Senate then at 12:58 o'clock p. m., upon direction of the President Pro Tempore, retired to the Senate Chamber.

MESSAGE FROM THE SENATE

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following resolution:

S. C. R. No. 4, Authorizing the Boy Scouts of America to erect a monument on the Capitol grounds.

Respectfully submitted,

LOYCE M. BELL,

Secretary of the Senate.

ADJOURNMENT

On the motion of Mr. Bell the House, at 12:59 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORT

The following Committee filed a favorable report on a resolution as follows:

Committee on Rules, H. C. R. No. 8.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 3, Providing for payment of certain expenses incurred in arranging Inaugural Ceremonies.

Has carefully compared same and finds it correctly engrossed.

COBB, Vice-Chairman.

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 6, Authorizing the closing of Capitol Grounds to Motor Vehicles on January 16, 1951.

Has carefully compared same and finds it correctly engrossed.

COBB, Vice-Chairman.

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 9, Relative to a Joint Session of the Senate and House of Representatives for the purpose of canvassing the votes cast for the Governor and Lieutenant Governor and for the inauguration ceremonies for the Governor and Lieutenant Governor of the State of Texas.

Has carefully compared same and finds it correctly engrossed.

WOOD of Houston, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 2, Providing for a Joint Session to hear the Governor's message.

Has carefully compared same and finds it correctly enrolled.

ROGERS of Childress, Chairman.

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 4, Relative to mileage and per diem of Members of the 52nd Legislature, employees, etc.

Has carefully compared same and finds it correctly enrolled.

ROGERS of Childress, Chairman.

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 5, Providing for parking space for certain automobiles.

Has carefully compared same and finds it correctly enrolled.

ROGERS of Childress, Chairman.

Austin, Texas, January 15, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 7, Relative to canvassing election returns.

Has carefully compared same and finds it correctly enrolled.

ROGERS of Childress, Chairman.

SENT TO GOVERNOR

January 15, 1951

H. C. R. No. 2.

H. C. R. No. 4.

H. C. R. No. 5.

H. C. R. No. 7.

FIFTH DAY

(Tuesday, January 16, 1951)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the Speaker.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Crosthwait
Abington	Crouch
Adams	Daniel
Atwell	Davis
Aynsworth	Dicker
Banks	Duff, Miss
Barnhart	Duncan
Bell	Ehlert
Berlin	Etheredge
Blount	Fenoglio
Bradshaw	Fields
Briggs	Fisk
Briscoe	Fleming
Brooks	Fly
Brown	Gandy
Bryan	Garrett
Buchanan	Graham
Carr	Gray
Cassity	Gromatzky
Caston	Gurley, Mrs.
Chambers	Hall
Cheatham	Hardegree
Childress	Hardeman
Cobb	Hartsfield
Collie	Heflin
Cox	Heideke

Henderson	Puckett
Hill	Pyle
Hinson	Rampy
Holstein	Ratliff
Houston	Roark
Huddleston	Rogers
Huffman	of Childress
Hughes	Rogers of Travis
Hull	Rutherford
Ingram	Ross
Isaacks	Sadler
Johnson	Seay
Jones	Sewell
Kazen	Shannon
Kilgore	Shaw
Kirkpatrick	Sherman
LaFont	Smith
Latimer	Spacek
Lehman	Spring
Lindsey	Staton
Loving	Steward
McCann	Stockard
McCorkle	Stump
McDaniel	Svadenak
McIlhany	Swindell
Mangum	Tatum
Manning	Taylor
Maverick	Tinsley
Meridith	Triplett
Miller	Tufares
Moore	Vale
Morrison	Warden
Moursund	Weaver
Murphy	Westbrook
Murray	Wetherbee
Niemann	Whiteside
Nimitz	Wilkinson
Norton	Williams
Osborn	Williamson
Owen	Willis
Pattison	Wilson
Paxton	Wisener
Pearson of Grimes	Wood of Smith
Pearson	Woodruff
of Eastland	Woods
Perry of Brazoria	Yezak
Perry of Erath	Young
Peterson	Zeiske
Presnal	Zivley

Absent

Wood of Houston

Absent—Excused

Craig

A quorum was announced present.

The Invocation was offered by the Rev. J. H. Clark, Chaplain, as follows:

"I exhort therefore, that, first of all, supplication, prayers, interces-